



**THE STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

JUVENILE STANDARDS

Guidelines for the Handling of Youthful Offenders and Non-Offenders

1st Printing, 1989

2nd Printing, 1994

3rd Printing, 2001
(Updated)

**Joseph E. Smith, Executive Director
Rhode Island Justice Commission**

**Elizabeth Gilheeney, Juvenile Justice Specialist
Rhode Island Justice Commission**

**RHODE ISLAND JUSTICE COMMISSION
TEL (401) 222-2620 FAX (401) 222-1294**

Forward

The Rhode Island Justice Commission (RIJC) has administered the federal Juvenile Justice and Delinquency Prevention (JJDP) Act for the state of Rhode Island since 1975. Since that time, nearly fourteen million dollars in JJDP grant funds have been disbursed to state, city, town and community groups to help combat juvenile delinquency and intervene in the lives of troubled youths. Further, the Rhode Island Justice Commission, in conjunction with its permanent subcommittee – the Juvenile Justice Advisory Committee (JJAC) – directly undertakes delinquency prevention/ intervention projects intended to improve the juvenile justice system. This Juvenile Standards document is one such project.

To maintain Rhode Island eligibility for JJDP funds, we request that all agencies which take custody of youthful offenders and non-offenders make a good faith effort to adhere to the guidelines set forth in this manual. Working together, we can continue to improve the juvenile justice system in Rhode Island, while at the same time, fulfill our unequivocal commitment to full compliance with JJDP Act statutory regulations.

The RIJC welcomes input regarding this manual. Questions, comments, or suggestions may be directed to the Juvenile Justice Specialist at (401) 222-4494 or faxed to (401) 222-1294.

Joseph E. Smith
January, 2001

Table of Contents

Sections	Page
I. Definitions	5
II. Juvenile Unit/Officer	11
III. Immediate Release/Transfer	12
IV. Accused Status and Non-Offenders	13
V. Accused Criminal-Type Juveniles	15
VI. Record Juvenile Detention Data	20
VII. Fingerprint/Photographic Data	21
VIII. Juveniles in Need of Medical Care	22

Appendices

A. JJDP Act Statutory Regulations.....	23
Compliance Monitoring Authority	24
B. Host Homes, Travelers Aid.....	25
C. Family Court Orders	
Administrative Order 88-5	26
Re: RIGL 14-1-26.1	27
D. Pertinent Rhode Island Laws	28
E. Secure vs. Non-Secure Custody.....	29
F. Juvenile Service Agencies	
Statewide.....	31
Governmental Agencies.....	34
Northern Region	36
Greater Providence Area.....	37
Aquidneck/Mid-State Regions.....	38
East Bay/Kent County Regions	39
South County Area.....	40

I. Definitions

Law Enforcement Terminology

1. **Accused** – A juvenile alleged to have committed a delinquent or wayward act.
2. **Adjudicated** – the allegations of delinquency or waywardness are heard and judged upon in a Family Court proceeding.
3. **Booking** – The administrative process of recording the offense and identifying data when the child is taken into custody.
4. **DCYF – The Rhode Island Department of Children, Youth and Families.**
5. **RIJC – The Rhode Island Justice Commission** – the state’s planning and coordinating agency for criminal and juvenile justice; designated administering and monitoring agency for the U.S. Department of Justice’s Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974.
6. **Host Home** – A temporary shelter home directly accessible to state/municipal law enforcement personnel for placement of juveniles who are unable or unwilling to immediately return to their families, but do not necessarily require police or DCYF custody. (See Appendix B)
7. **Intake** – The Family Court function of preliminary screening to determine if any action should be taken regarding the juvenile, and if so, what form that action would be.
8. **JJAC – The Juvenile Justice Advisory Committee** – a permanent subcommittee of the RIJC that develops program and project priorities for JJDP Act Formula grant funding.

Definitions (Cont.)

9. **JJDP Act or JJDPA – The Juvenile Justice and Delinquency Prevention Act**, was passed by Congress in 1974, reauthorized in 1980, 1984, 1988 and 1992, and is administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the U.S. Department of Justice, Washington, DC. The JJDPA serves as reform legislation to improve the juvenile justice system in America. The main intents of the Act are to remove status offenders from juvenile correctional facilities; remove juveniles from jails, lockups and detention centers intended for adults; and to diminish the disproportionate confinement of minorities in secure detention. (See Appendix A)
10. **Juvenile** – A child in the state of Rhode Island who has yet to reach 18 years of life. (A juvenile becomes an adult at midnight, the night before his/her 18th birth date.)
11. **Juvenile Offender** –
 - a. **Delinquent** – The term applied to a juvenile who has committed any offense, which if committed by an adult, would constitute a felony.
 - b. **Wayward** – Two classifications:
 - Misdemeanant Offender** – a juvenile who has committed any act which, if committed by an adult, would constitute a misdemeanor offense.
 - Status Offender** – a juvenile who has committed any offense, which if committed by an adult, would not be a misdemeanor or felony violation (in essence, an age-related offense).

(Cont.) **Definitions**

According to Rhode Island Law, status offenses under the Wayward Classification would include the following:

- Truancy from school (under age 16)
- Runaway from home
- Violation of curfew
- Disobedient, out of control

A juvenile accused of simple possession or consumption of alcohol (in a case that would not be an adult criminal offense) should be considered and handled as a status offender.

12. Non-Offender –

- a. An unmarried child who is found to be abused or neglected or in imminent danger of abuse or neglect; is found to be abandoned; is in need of medical, mental health or chemical dependency treatment which parent, guardian or primary caretaker cannot provide; who has been sexually abused by a parent, guardian or other member of the household; or whose parent, guardian or primary caretaker desires to be relieved of the care and custody of the child for good cause.
- b. A juvenile taken into custody for questioning purposes.

Definitions (Cont.)

13. **Non-Secure Detention** – temporary pre-dispositional or post-adjudicational care of a juvenile in an unlocked, non-residential (no bed or cot) multi-purpose area (dispatch, lobby, office, interview/conference room) with the provision that the juvenile is not physically secured to a stationary object.

A juvenile accused of simple possession or consumption of alcohol (in a case that would not be as adult criminal offense) should be considered and handled as a status offender.

14. **RITSY – The Rhode Island Training School for Youth** – the state’s secure juvenile detention/correctional facility.
15. **Secure Detention** – Confinement of a juvenile in a physically restrictive area (locked room/cell) designed to ensure the juvenile’s continued custody during either pre-dispositional or post-adjudicational detention. This definition would include police lockups, the RI Training School, NFI (ACE Program), or any other facility used to hold a child securely prior to or after final disposition.

Handcuffing a juvenile to any stationary object (eyebolt, cuffing rail, heavy desk, etc.) is considered secure detention.

16. **Taking into Custody** – The detaining of a juvenile against his/her volition; an act which would be governed by the laws of arrest under the criminal code if the subject perpetrating the act were an adult. A child taken into custody is subject to all Constitutional and statutory protections which are afforded an adult upon arrest.
17. **VCO – Valid Court Order** – a court order given by a Family Court judge to a juvenile who has been brought before the court and made subject to a court order. The word “valid” permits the secure detention of juveniles for violation of a valid court order only if they received their full due process rights as guaranteed by the U.S. Constitution.

II. Juvenile Unit/Officer

1. Each police department should establish a juvenile unit or have officers specially trained in the handling of juvenile cases to:
 - a. effect the arrest of juveniles when arrest is necessary;
 - b. make decisions regarding the release of the juvenile; and
 - c. immediately review every case in which an arrest has been made, for whatever reason, by another member of the department, who declines to release the juvenile.
2. All arrest warrants, summonses, capais, and possible petition referrals involving accused juveniles should be handled by this unit or the specific juvenile officer.
3. Officers and administrators from each of the three daily shifts should be trained in the handling of juveniles and be expected to work closely with the specific juvenile officer.

III. Immediate Release/Transfer

Status/Non-Offense

Each police department should establish policy requiring immediate release of a juvenile taken into custody to a parent/guardian or DCYF if the juvenile is accused of committing a status- or non-offense or lesser misdemeanor offenses – under the condition that the public safety is not threatened and that the juvenile’s appearance in court is assured.

Criminal (Misdemeanor/Felony) Offense

1. Each police department should establish policy requiring immediate transfer of a juvenile taken into custody for a serious offense to the Rhode Island Training School (RITSY) for temporary secure holding pending a court hearing.
2. Should the criminal/delinquent offense be deemed serious enough to warrant the juvenile’s transfer to the RITSY, the arresting officer or shift supervisor should consider releasing the accused delinquent to his/her parent(s), guardian, or primary caretaker – under the condition that the public safety is not threatened and that the juvenile’s appearance in court is assured.

Per Section (223)(a)(14) of the JJDP Act, an accused criminal-type juvenile offender must be released/transferred after a maximum of six (6) hours in secure detention.

IV. Custody of Accused Status and Non-Offenders

When a juvenile is taken into custody for a status-or non-offense, the juvenile officer or arresting officer should:

1. Consider immediate release of the youth to a parent or guardian after securing a promise from both the juvenile and parents to return for a hearing if necessary, unless the juvenile:
 - is in need of emergency medical treatment,
 - requests protective custody, or
 - is determined to be in a fugitive status.
2. Place and monitor the juvenile in a non-secure area of the police department (if the parent/guardian is unavailable, for whatever reason). The non-secure area should be completely separated from adult offenders (with both sight and sound considerations per RI General Law 14-1-26 and JJDP Act Sec. 223(a)(12)(A)).

<p>A law enforcement representative must maintain visual contact with the juvenile for the entire length of the juvenile's detention in the non-secure area.</p>

Custody of Accused Status- and Non-Offenders (cont.)

3. Insure that the juvenile not be held for more than twenty-four (24) hours at the local police station while waiting for parents, guardians, or transfer to an alternative temporary placement, or an order by a Family Court judge.
4. **Host Home Alternative** – (details in Appendix B) Place the juvenile in a host home, if one is available in the community or immediate geographical region, contingent upon the following criteria:
 - a. a parent or guardian cannot be contacted, or, refuses to pick up the child;
 - b. either the parent(s) or child, or both, require a “cooling off” period (limited from one day to two weeks) as determined by the arresting officer after consultation with either the parents, juvenile or both;
 - c. DCYF is unable or unwilling to take custody of the juvenile.
5. **DCYF Alternative** – If a host home is not available and parents refuse to pick up child, or the family situation otherwise necessitates the removal of the child from his/her home, DCYF should be contacted. The juvenile officer should make this determination as quickly as possible after the child has been taken into custody and DCYF contacted immediately thereafter. Transfer to a group home, temporary foster placement or shelter should also take place within the 24-hour temporary detention time limit.

V. Custody of Accused Criminal-Type Juveniles

1. **Probable Cause** – An order should not be issued nor a juvenile taken into custody without an order unless there is probable cause to believe that the juvenile falls within the delinquency jurisdiction of the Family Court and it is determined that issuance of a summons or citation would not: adequately protect the jurisdiction or process of the Family Court; protect the juvenile from an imminent threat of serious bodily harm; or reduce the risk of the juvenile inflicting serious bodily harm on others or committing serious property offenses prior to adjudication.

In making this determination, the Family Court judge or law enforcement officer must consider:

- a. the nature and seriousness of the alleged offense;
- b. the juvenile's record of delinquency offenses, including whether the juvenile is currently subject to dispositional authority of the Family Court or released pending adjudication, disposition, or appeal;
- c. the juvenile's record of willful failures to appear following the issuance of a summons or citation;
- d. the availability of noncustodial alternatives, including the presence of a parent, guardian, or other suitable person able and willing to provide supervision and care for the juvenile and to assure compliance with a summons or citation.

Custody of Accused

Criminal-Type Juveniles (cont.)

A youth in secure detention should be completely separated from adult offenders with both sight and sound considerations per RIGL Sec. 14-1-26 and JJDP Act Sec. 223(a)(12)(A).

2. **Secure Detention** – The officer who takes a juvenile into custody for committing an offense that, if committed by an adult, would constitute a criminal offense (either a felony or misdemeanor), may hold the accused juvenile in secure detention for up to six hours before release to parents, or transfer to RITSY (dependent on a judge's order) or to DCYF.
 - a. In the event a juvenile is taken into custody for a serious felony offense – including the hours between 11:00pm and 7:00am – the arresting officer or night shift supervisor should contact the appropriate Family Court judge to acquire permission to transfer the juvenile to the RITSY for temporary secure detention pending an arraignment the following morning – per Family Court Administrative Order #88-9. (See Appendix C)
 - b. Should the criminal/delinquent offense not be deemed serious enough to warrant the juvenile's transfer to the RITSY, the arresting officer or shift supervisor should consider releasing the accused delinquent to his/her parent(s), guardian, or primary caretaker under the condition that the public safety is not threatened and that the juvenile's appearance in court is assured.

Custody of Accused *(cont.)* **Criminal-Type Juveniles**

- c. A juvenile accused of a misdemeanor offense may be securely detained according to the JJDP Act, however, depending on the circumstances, may be held in non-secure detention if facilities and/or personnel permit.

The six (6) hour time limit begins only when the youth has been placed in secure detention – not at time of arrest or at the start of questioning/booking procedures.

- 3. The arresting officer should have the following duties with regard to the interim status of an accused criminal-type juvenile:
 - a. **Notify Parents** – The arresting officer should make all reasonable efforts to contact a parent of the accused juvenile during the period between arrest and the presentation of the juvenile to any detention facility.
 - b. **Inform Juvenile of Miranda Rights** –
 - **At the time of arrest** – the arresting officer should immediately inform the juvenile, in clearly understandable language, the Miranda warnings required by the U.S. Supreme Court. The officer should also inform every arrested juvenile who is not promptly released from custody, of his/her right to have their parents contacted by the department. In any situation in which the accused does not understand English, or in which the accused is bilingual and English

Custody of Accused Criminal-Type Juveniles *(cont.)*

is not his/her principal language, the officer should provide the necessary information in the accused's native language, or provide an interpreter who will assure that the juvenile is fully informed and clearly understands his or her rights.

- **Prior to Formal Questioning** – the arresting officer or other officer who is administering the rights, should have the juvenile, in addition to parent(s) or guardian, if available, physically sign or initial each Miranda right on a written form that details each Constitutional right for purposes of preserving the juvenile's Constitutional rights, insuring the admissibility of any statements made by the juvenile and alleviating any questions of whether the juvenile understands those rights.

4. Interrogation/Formal Statements:

- a. Juveniles accused of committing a delinquent offense or engaging in noncriminal misbehavior should not be questioned regarding accused offenses or conduct, and formal, oral or written statements should not be elicited until the juvenile's parent(s), guardian, primary caretaker, or legal counsel has been contacted and is present.
- b. Before accepting a formal written or oral statement from a juvenile, law enforcement officers or other public officials working on the juvenile's behalf should ensure that the juvenile fully understands the matters explained to him/her and that the statement is voluntary, not only in the sense that it is not coerced or suggested, but also that it is not the product of adolescent fantasy, fright, or despair.

Custody of Accused
(cont.) **Criminal-Type Juveniles**

5. **Transport to Facility** – The police should, within six (6) hours of placing a youth in secure detention, either release the juvenile or transport the juvenile without delay to the state’s juvenile detention facility (RITSY). Juveniles must not be transported with adult offenders to the RITSY or to Family Court per RI General Law Sec. 14-1-26.

**The 1992 Reauthorization of the
JJDP Act, Sec. 223(a)(13)(A)
prohibits any contact between
delinquent, status and non-offender
juveniles and adult offenders in
secure institutions.**

VI. Record Detention Data

1. Information on all juveniles taken into custody, for any reason, should be recorded on self-report forms provided by the Rhode Island Justice Commission or on a computer database. The following juvenile detention data should be recorded:
 - a. **Departmental case reference number;**
 - b. **Age, Sex, Race** – (W)White, (B)Black/African American, (H)Hispanic, (A)Asian/Pacific Islander, (N)Native American
 - c. **Specific reason detained or taken into custody;**
 - d. **Category of offense** – (C)Criminal, (S)Status, (N)Non-offense
 - e. **Type of custody** –
Secure – held in a cell or locked detention room or handcuffed to a stationary object.
Non-secure – held in an unlocked, multi-purpose room, not intended for residential or secure use.
 - f. **Length of custody** – date and time entered facility and date and time released/transferred.
 - g. **Final disposition** – to whom juvenile is released: parents, DCYF, RITSY, Juvenile Hearing Board, or specified other.
2. Self-report forms should be submitted to the Rhode Island Justice Commission on a monthly basis.
3. If the juvenile is held securely for longer than six (6) hours, the circumstances should be recorded in the arrest report and disclosed to the juvenile, counsel, parents and the Rhode Island Justice Commission.

VII. Fingerprints/Photographs

1. Under no circumstances should fingerprints or photographs be taken from or of a juvenile taken into custody for a status offense or non-offense.
2. An accused delinquent's fingerprints or photograph should only be taken when essential to establishing identity during the investigation of a criminal offense.
3. Fingerprints and photographs which are retained by law enforcement agencies should be maintained in accordance with the following principles and limits:

Fingerprint and photographic data must be:

- a. accurate;
 - b. protected from unauthorized access, disclosure or dissemination;
 - c. physically secure; and
 - d. separate from adult records.
4. Access to all such materials should be limited to law enforcement officers when essential to conducting an ongoing investigation; to a member of the clerical or administrative staff of the maintaining court or agency for authorized internal administrative purposes.

VIII. Juveniles in Need of Medical Care

1. Medical Attention

Whenever a juvenile is taken into custody, whether for a delinquent or non-criminal offense, the arresting officer should determine if the child is in need of immediate medical care and insure that the appropriate medical attention is provided.

If the juvenile is transported in an emergency vehicle, the officer taking custody of the juvenile should accompany him/her in the rescue vehicle.

**Cases of severe
alcohol intoxication
(2.0 on Breathalyzer scale) or
drug overdoses should be
treated as medical emergencies.**

2. Custody of Juvenile

In all cases where a juvenile requires medical attention, that juvenile remains the officer's official responsibility until the juvenile has been released to his/her parents or guardian, DCYF or transferred to the RITSY.

Appendix A

JJDP Act Statutory Regulations

Section 223(a)(12)(A)

Deinstitutionalization of Status Offenders (DSO) – “...juveniles who are charges with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders, or alien juveniles in custody, or such non-offenders as dependent of neglected children, shall not be placed in secure detention facilities or secure correctional facilities...”

Section 223(a)(13)

Sight and Sound Separation – “...juveniles alleged to be or found to be delinquent and youths within the purview of paragraph (12) shall not be detained or confined in any institution in which they have contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges...”

Section 223(a)(14)

Jail Removal – “... no juvenile shall be detained or confined in any jail or lockup for adults...”*

Section 223(a)(23)

Minority Overrepresentation – “...reduce the proportion of juveniles confined in secure detention facilities, secure correctional facilities...and lockups who are members of minority groups if such proportion exceeds the proportion such groups represent in the general population.”

** except for a six hour time period that an accused criminal-type juvenile may be held securely... “to allow law enforcement to carry out responsibilities of identification, investigation, processing, release to parents or guardian, hold for transfer to an appropriate juvenile detention or shelter facility or transfer to court.” – 42 U.S.C. 5633(a)(14)*

RIJC Authority to Monitor Compliance to JJDP Act

JJDP Act Section 223(a)(15)

Compliance Monitoring Mandate – [The State Administering Agency (the RIJC) must] “...provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and non-secure facilities to insure that the requirements of paragraph (12)(A), paragraph (13) and paragraph (14) are met, and for annual reporting of the results of such monitoring...”

Rhode Island General Laws (RIGL)

RIGL 42-26-4(1) gives the RIJC the authority to...

“Serve as the state planning agency for administration of federal criminal justice related grant programs including, but not limited to the Juvenile Justice and Delinquency Prevention Act of 1974, as amended...”

According to RIGL 42-26-4(10), the RIJC has...

“ the authority to collect from the department of corrections and any state or local government departments and agencies, such public information, data, reports, statistics, or other material which is necessary to carry out the commission's functions; and to collect from non-profit organizations which receive state or federal funds all information necessary to carry out the commission's functions...”

Finally, RIGL 42-26-11 dictates that...

“All other departments and agencies of the state government are hereby authorized and directed to cooperate with the commission and to furnish such information as the commission shall require.”

Appendix B

Host Homes • Travelers Aid

Host Homes – The Host Home network in Rhode Island consists of trained and licensed volunteer families who will provide temporary shelter of up to 21 days to adolescents, ages 12-17, who are experiencing family crises. The Host Home program is not intended for multi-problem, chronic runaways.

Criteria for acceptance into a Host Home include:

- Being a first of second time runaway
- Having no active involvement with drugs or alcohol
- Having no criminal record other than status offenses
- Not being an open DFYC case
- Having a willingness to follow house rules
- Attending school, except during vacations
- Agreement by youth and parents to attend counseling or mediation sessions

Each case is reviewed individually by the agency sponsoring the Host Home.

Travelers Aid Society of Rhode Island

Travelers Aid participates in the Host Homes program by operating a 24 hour referral hotline (see number below).

In addition to Host Home referrals, Travelers Aid can provide a wide range of services including the provision of food, clothing, shelter, medical assistance, alcohol/drug treatment, family mediation, job development and other referrals for runaways and other juveniles in need. For more information, contact the Travelers Aid Youth Services department during business hours at (401)521-2255 or the

**Travelers Aid 24-Hour Hotline
521-SAFE (521-7233)**

Appendix C

Family Court Orders

Administrative Order 88-5

**OFFICE OF THE CHIEF JUDGE
FAMILY COURT OF THE STATE OF RHODE ISLAND
ONE DORRANCE PLAZA, PROVIDENCE, RI 02903**

June 8, 1988

In order to comply with the Juvenile Justice and Delinquency Prevention Act guidelines, authorization is hereby given to the Rhode Island State Police and to all City and Town Police Departments to call the assigned Duty Judge between the hours of 11 pm and 7 am for emergency detention [*of accused delinquent offenders*] prior to adjudication in accordance with Rule 8 of Rules of Juvenile Proceedings of the Family Court of Rhode Island.

Calls within these hours should be made only in ultimate emergencies.

This authorization is also extended to the Department of Environmental Management Enforcement Division.

Jeremiah S. Jeremiah, Jr., Chief Judge

**OFFICE OF THE CHIEF JUDGE
FAMILY COURT OF THE STATE OF RHODE ISLAND
ONE DORRANCE PLAZA, PROVIDENCE, RI 02903**

October 30, 1992

Please be advised that a new law affecting the operation of your department was passed at the end of the [1992 legislative session]...based on Section 223 A (14) of the federal Juvenile Justice and Delinquency Prevention (JJDP) Act. [Text of the new law – RIGL 14-1-26.1 – can be found in Appendix D, p. 21]

Stated simply, [the new law requires that] those juveniles taken into custody for committing a status offense or such non-offenses as being missing, abused or neglected are to be held non-securely at your department or barracks. The whole issue of “secure” vs. “non-secure” detention is explained in greater detail in the Federal Register (Volume 53, No. 212, November 2, 1988/Rules and Regulations, pages 44, 366-44, 368). [See pertinent excerpts in appendix E, pp. 22-23].

...As a result of the passage of [RIGL 14-1-26.1], all Rhode Island police departments are hereby expected to comply fully with this new state law and this directive of the Family Court. Failure to do so may result in the loss or jeopardy of the case that you are presenting or prosecuting while at the same time, drastically increase the degree of liability facing you, your department, officers, and municipality should the affected juvenile be injured while being held in violation of [the new law]...

Jeremiah S. Jeremiah, Jr., Chief Judge

Appendix D

Pertinent Rhode Island Laws

14-1-26. Separation from Adult Offenders

In case a delinquent or wayward child is taken into custody or detained before or after the filing of a petition, or pending a hearing thereon, the child shall not be confined in any prison, jail, lockup, or reformatory, or be transported with, or compelled or permitted to associate or mingle with, criminal, vicious, or dissolute persons, but shall be kept under the care of the person arresting the child, or of a police matron as provided in § 14-1-24, until by order of the court other disposition is made of the child as provided in this chapter; and if the child is ordered to be detained, or confined in any of the institutions mentioned in this chapter, the child shall not be conveyed to or from the institution with adult offenders.

14-1-26.1 Temporary custody of Status/Non-Offenders

A juvenile taken into custody at a state, municipal, or college police department for an offense that would not be classified as criminal if committed by an adult, or non-offender juveniles, such as dependent or neglected children, shall be held for identification, investigation, and processing purposes only, in an unlocked, multi-purpose room that is not designated for residential use or secure detention. The child shall not be handcuffed to a stationary object and must remain in continuous visual supervision of an agency representative.

14-1-11 Authorizing and Filing Petition

...No child shall be ordered detained at the training school, unless there is pending against the child a petition setting forth facts which would constitute a felony or misdemeanor if committed by an adult or which alleges a violation of a valid court order, or unless the child is adjudged in contempt of court.

Appendix E

Secure vs. Non-Secure Custody

*Excerpts from the Federal Register
(Volume 53, No. 212, November 2, 1988/Rules and
Regulations, pages 44, 366-44, 368)*

I. Introduction and Background

*...A juvenile may be in law enforcement custody and therefore, not free to leave or depart from the presence of a law enforcement officer or at liberty to leave the premises of a law enforcement facility **but not be in a secure detention or confinement status.***

A **secure detention** or confinement status has occurred within a jail or lockup facility when a juvenile is physically detained or confined in a locked room, set of rooms or a cell that is designated, set aside or used for the specific purpose of securely detaining persons who are in law enforcement custody. Secure detention or confinement may result either from being placed in such a room or enclosure and/or from being physically secured to a cuffing rail or other stationary object.

II. Discussion of Comments

*...[H]andcuffing techniques that do not involve cuffing rails or other stationary objects will be considered nonsecure custody where the additional criteria for nonsecure custody set forth [on p. 23] are adhered to. **Thus, juvenile offenders can be considered in nonsecure custody, even though handcuffed, where necessary, so long as a stationary object is not in use...***

Secure vs. Non-Secure Custody (cont.)

III. Policy Criteria for Law Enforcement

Nonsecure Custody Criteria – The following policy criteria, if satisfied, will constitute nonsecure custody of a juvenile in a building that houses an adult jail or lockup facility:

- (1) The area(s) where the juvenile is held is an unlocked multi-purpose area, such as a lobby, office or interrogation room which is not designated, set aside or used as a secure detention area or is not a part of such an area, or is a secure area, is used only for processing purposes;
- (2) The juvenile is not physically secured to a cuffing rail or other stationary object during the period of custody in the facility;
- (3) The use of the area(s) is limited to providing nonsecure custody only long enough and for the purposes of identification, investigation, processing, release to parents, or arranging transfer to an appropriate juvenile facility or to court;
- (4) In no event can the area be designated or intended to be used for residential purposes; and
- (5) The juvenile must be under continuous visual supervision by a law enforcement officer or facility staff during the period of time that he or she is in nonsecure custody.

IV. Policy Criteria for Court Holding Facility

A court holding facility is a secure facility, other than an adult jail or lockup, that is used to temporarily detain persons immediately before or after detention hearings, or other court proceedings. Court holding facilities where they do not detain individuals overnight (i.e. are not residential) and are not used for punitive purposes or other purposes unrelated to a court appearance, are not considered adult jails or lockups for purposes of section 223(a)(14) of the JJDP Act. However, such facilities remain subject to the section 223(a)(13)(42 U.S.C.

5633(a)(13)) separation requirement of the Act.

Appendix F

Juvenile Service Agencies

The following is a partial listing of agencies that provide various services for juveniles and/or their families. If unsure of an agency's services, fees, or office hours, contact the agency first before referring a juvenile.

Statewide Organizations

Alcoholics Anonymous	800-439-8860
<i>Fellowship/support for those who wish to stop drinking</i>	438-8860
Al-Anon Family Groups.....	781-0044
<i>Support groups for family/friends of alcoholics</i>	
Anorexia & Bulimia Association	861-2335
<i>Support and Family Groups, Education/Prevention</i>	
Big Brothers of RI.....	432-9955
<i>Older male friendship, group activities</i>	
Big Sister Association of RI.....	461-0310
<i>Older female friendship, group activities</i>	
Center for Non-Violence	351-1695
<i>(formerly Brother to Brother) Abuse prevention for adolescents</i>	
Butler Hospital	455-6200
<i>Short-term psychiatric and substance abuse treatment</i>	
Caritas House	722-4644
<i>Residential substance abuse treatment for adolescent females</i>	
Catholic Social Services.....	467-7200
<i>Parent/Child counseling, parent education</i>	

Juvenile Service Agencies (cont.)

Family Service (Providence)	331-1350
<i>Family counseling; AIDS, pregnancy, sexual/substance abuse information/treatment</i>	
Gay and Lesbian Helpline	751-3322
<i>Empathetic listeners, support, information, referrals</i>	
Groden Center	274-6310
<i>Early intervention, behavioral difficulties</i>	
Jewish Community Center of RI	861-8800
<i>Educational, leadership and recreational activities</i>	
Jewish Family Service	331-1244
<i>Counseling; Personal adjustment; Parenting Information</i>	
Justice Assistance	222-1330
<i>Victim counseling; Restitution program; Job placement assistance</i>	
Little Flower Home	568-0106
<i>Residential program for pregnant girls; Tests, counseling, advocacy</i>	
Marathon, Inc.	331-4250
<i>Substance abuse treatment; Counseling; Shelter services</i>	
Mothers Against Drunk Driving	421-0800
<i>Youth education; Public awareness</i>	885-4552
Narcotics Anonymous (NA)	800-736-4597
<i>Fellowship/support for those who wish to stop using drugs</i>	461-1110
Planned Parenthood	421-9620
<i>Gynecological services; Reproductive educational programs</i>	
RI Council on Alcoholism	725-0410
<i>Information/referral service for alcohol and other substance abuse</i>	

(cont.) **Juvenile Service Agencies**

RI Project AIDS Hotline800-726-3010

AIDS Information

RI Sexual Assault and Trauma

Resource Center 421-4100

Support, advocacy, counseling and assault prevention programs

RI Youth Guidance Center 725-0450

Family/group/individual therapy; Prevention programs

Right to Life Services..... 521-1860

Alternatives to abortion; Counseling; Material provisions for pregnant girls

St. Mary's Home for Children..... 353-3900

Residential/counseling programs

Samaritans800-365-4044

24 hour suicide/crisis hotline **272-4044**

Society for Young Victims.....800-999-9024

Locate missing children; Education; Family support (also 847-5083)

Transition House..... 767-2300

Residential program for girls with babies; Special education living program

Travelers Aid Society of RI..... 521-2255

Mental health, medical, educational, shelter, advocacy, and case management services; Referrals; Runaway outreach

Urban League of RI 351-5000

Counseling, advocacy and referrals for minority families

Governmental Agencies

Attorney General (Juvenile Prosecution)..... 274-4400

Prosecution of criminal cases including felony offenses, arson, fraudulent practices, and family violence; processes juvenile and victim witness; maintains information charges

Department for Children, Youth & Families

- **Child Protective Services222-5221**

Intake, evaluation and assessment for the protection of children and their families; responds to and investigates reports of child abuse and/or neglect; provides screening/assessment services

- **Direct Services528-3502**

Care and treatment of children and supportive services to their families for children in foster homes, licensed child care agencies, or within their own home; investigates adoption petitions and child marriage applications

- **Community Resources528-3797**

Develops, monitors and coordinates a network of residential and community programs to serve youth; arranges placements and services for youth requiring substitute care; administers children's mental health services

RI Training School for Youth (RITSY)

- **Superintendent462-7241**

- **Detention Center 462-7307**

Short-term detention center for male adolescents awaiting further court action for criminal-type offenses

- **Youth Correction Center.....462-7270**

- **Girls Unit 462-7303**

Short-term detention center for female adolescents awaiting further court action for criminal-type offenses

- **Juvenile Probation/Parole528-3525**

Office of the Public Defender..... 222-3492

Represent indigent persons charged with crimes throughout the state in District, Family, Superior and Supreme Courts

Court Administration Office..... 222-3266
(cont.) Governmental Agencies

Department of Human Services

- **Adol. Self-Sufficiency Collaborative.... 462-6829**

Rhode Island Family Court

- **Intake.....458-3250**
- **Counseling Unit458-3420**
Provides counseling for families and individual family members who are experiencing problems or difficulties in marriage
- **Alcohol Counseling Unit458-5020**
Individual, family and group counseling for alcohol troubled persons; prevention activities
- **Court Appointed Special Advocate.....458-3330**
Monitors care of children placed through court as a result of child abuse or neglect. Utilizes trained volunteers to conduct interviews relative to the care of each child; reports finding to the Court

Office of the Child Advocate..... 222-6650

Advocacy of children in the custody of DCYF including litigation, legislative advocacy and public education; Family Court representation of children voluntarily placed in DCYF custody; investigation of institutional child abuse/neglect; public reports on issues concerning children in DCYF care

Rhode Island Justice Commission..... 222-2620

State's planning and coordinating agency for criminal and juvenile justice; administers the federal Juvenile Justice and Delinquency Prevention (JJDP) Act including the disbursement of formula grant funds; monitors for compliance to juvenile-related statutory regulations and state law; develops training for law enforcement and other juvenile justice system participants; research studies and statistical analysis

Office of the Mental Health Advocate..... 462-2003

Legal services for patients in psychiatric facilities. Investigates complaints about conditions in psychiatric facilities and group homes; takes all necessary action to protect rights of patients in

*psychiatric facilities, residents of group homes and clients of
community mental health centers*

Other Regional Agencies

Northern Region

Community Counseling Center 722-5573

*Family counseling; substance abuse counseling;
residential counseling program for behaviorally
disordered youth; crisis intervention
(CES) Central Falls and Pawtucket*

Family Resources, Inc..... 766-0900

*Individual/family counseling; substance abuse
treatment; child abuse prevention; parent education
(CES) Woonsocket, Lincoln, Cumberland, Burrillville, North
Smithfield*

Northern RI Mental Health 762-1577

Mental health/alcohol/crisis intervention svcs. 765-8585

Pawtucket Addictions Counseling 726-8080

Out-patient substance abuse counseling; group therapy

Progresso Latino 728-5921

Social services for Hispanic population

ROAD Counseling Program 769-3100

Out-patient drug/alcohol counseling; family therapy

SER Jobs for Progress 724-1820

Job training; substance abuse prevention

Sojourner House 765-3232

Conflict resolution program; family violence prevention

Blackstone Valley Community Action 723-4520

*Emergency food/clothing; rental assistance; GED
program; adolescent pregnancy*

Woonsocket Shelter Community Action. 766-0844

*Emergency food/clothing/shelter; parenting program;
summer youth program*

(cont.) **Other Regional Agencies**

Greater Providence

John Hope Settlement House 421-6993

CES..... 455-2330

Recreation programs; residential emergency shelter for girls; crisis intervention; parent education; counseling (CES) Providence

Nickerson Community Center 351-2241

Recreation/education programs; individual/group/family counseling; day camp

Providence Center..... 274-2500

Individual/group/family counseling; adolescent mental health; outpatient alcohol treatment program

Providence Community Action..... 273-2000

Emergency food/shelter services; employment training

SER Jobs for Progress 724-1820

Job training; substance abuse prevention

Sojourner House 658-4334

Conflict resolution; family violence prevention

(YDP) Youth Diversionary Program providing diversionary services (90 day limit) for first-time offenders, ages 9-17, and

(CES) Comprehensive Emergency Services (60 day limit), available 24 hours a day for juveniles facing emergency crisis situations (abuse, neglect, dependency).

Services through CES and YDP programs are contingent upon continued state funding.

Other Regional Agencies (cont.)

Aquidneck Region

Child and Family Services of Newport ... 849-2300

*Individual/group/family counseling and therapy;
substance abuse treatment; residential counseling
program for girls*

*(CES) Newport, Middletown, Portsmouth, Tiverton, Little Compton,
Jamestown*

Stopover Services of Newport County 683-1824

*Crisis intervention; individual/group/family counseling;
short-term shelter placements; family mediation*

(YDP) Newport, Tiverton, Middletown, Portsmouth, Little Compton

Martin Luther King Center 846-4828

*After-school programs; summer camp;
recreation/education programs; emergency food*

Newport County Mental Health 846-1213

*Mental health services; outpatient treatment; emergency
and referral services*

New Visions for Newport County 847-7821

*Emergency food/clothing; health center; summer youth
employment*

Mid State

Cranston Community Action Program .. 467-9610

*Alcohol prevention/treatment; crisis intervention;
adolescent parenting program; sexual abuse treatment
(CES, YDP) Cranston, Johnston, Scituate, Smithfield, Foster,
Glocester, North Providence and (YDP) includes Burrillville*

Tri-Town Community Action 231-2750

*Adolescent pregnancy; emergency food/clothing; health
center; summer youth employment*

Mental Health Services of Northwest RI 273-8100

Mental health services; counseling; school-based programs

(cont.) Other Regional Agencies

East Bay

Family Service, Inc. 331-1350

Individual/family counseling; outpatient substance abuse treatment; services for pregnant teens and teen parents/families

(CES, YDP) East Providence, Barrington, Bristol, Warren

Self-Help 437-1000

Emergency food/clothing; health services

East Bay Human Resource Corp..... 433-3334

Individual/group/family counseling for drug and alcohol; support groups

East Bay Mental Health 246-1195

Outpatient mental health/alcohol services 24 Hr. 246-0700

Kent County

Kent County Mental Health Center..... 732-5656

Mental health services; individual/group/family counseling (CES) West Warwick, Warwick, East Greenwich, West Greenwich, Coventry

Tides Family Services 822-1360

Works with acting-out teens and families; emphasis on conjoint family therapy

(YDP) Warwick, East Greenwich, West Warwick, Coventry, West Greenwich

Substance Abuse Treatment Program 828-6373

Individual/group/family counseling with drug-related problems; psychological evaluation

Warwick Community Action 732-4660

Alcohol/drug counseling; employment/training program for youth; emergency food/shelter services

Other Regional Agencies (cont.)

South County

South Shore Mental Health Center, Inc. 789-1166

Individual/group/family counseling; alcohol and drug abuse; group therapy; psychological testing/evaluation (CES) North Kingstown, South Kingstown, Kingston, Exeter, Narragansett, Charlestown, Westerly, New Shoreham, Hopkinton, Richmond

South County Community Action Pgm 789-3016

*Youth employment programs; emergency food/shelter; host-home placements
(YDP) North Kingstown, Charlestown, Exeter, Hopkinton, Richmond, Narragansett, New Shoreham, Westerly, Jamestown*

North Kingstown Regional Health 295-9706

Medical treatment; family planning/counseling; AA Group

Sympatico (Hotline) 783-0650

24 hour hotline for referral; information, support and crisis intervention; individual/group/family counseling

Notes

Notes

This project was supported through grant
00-JFFX0044 awarded to the State of Rhode Island
by the Office of Juvenile Justice and Delinquency
Prevention, Office of Justice Programs,
U.S. Department of Justice.

The Assistant Attorney General, Office of Justice
Programs, establishes the policies and priorities,
and manages and coordinates the activities of the Bureau
of Justice Assistance, Bureau of Justice Statistics,
National Institute of Justice, Office of Juvenile Justice
and Delinquency Prevention, and the Office for
Victims of Crimes.



Points of view in this document are those of the author
and do not necessarily represent the official position
or policies of the U.S. Department of Justice.
